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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

PRESENTMENT DATE: **9/25/17**
HEARING DATE: **TBD**

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In re:

FIDEL ABREU-BENITEZ,
a/k/a FIDEL ABREU,
a/k/a FIDEL ABREU BENITEZ,

Case No.: 17-71325-ast
Chapter 7

Debtor.

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**NOTICE OF TRUSTEE'S MOTION FOR ENTRY OF AN ORDER UNDER
BANKRUPTCY CODE SECTION 363: (1) APPROVING THE SALE OF ESTATE'S
INTEREST IN REAL PROPERTY COMMONLY KNOWN AS
630 E. 6TH STREET, HIALEAH, FLORIDA
SUBJECT TO HIGHER AND BETTER OFFERS AT AUCTION;
(2) SCHEDULING A HEARING TO APPROVE SUCH SALE TO THE
HIGHEST AND BEST BIDDER; (3) APPROVING CERTAIN
BIDDING PROCEDURES; (4) APPROVING THE MANNER AND
EXTENT OF NOTICE OF SUCH AUCTION HEARING**

PLEASE TAKE NOTICE that Richard L. Stern, Chapter 7 trustee ("Trustee") of the bankruptcy estate ("Estate") of Fidel Abreu-Benitez, a/k/a Fidel Abreu, a/k/a Fidel Abreu Benitez, debtor ("Debtor"), by and through his attorneys, Rosen, Kantrow & Dillon, PLLC, shall move before the Hon. Alan S. Trust, United States Bankruptcy Judge, by Notice of Presentment, seeking entry of an Order under Section 363(b), (f) and (m) of Title 11, United States Code ("Bankruptcy Code") and Rule 6004 of the Federal Rules of Bankruptcy Procedure ("Bankruptcy Rule"): (i) approving the sale of the estate's interest in real property commonly known as 630 E. 6th Street, Hialeah, Florida ("Real Property") at public auction, free and clear of all liens and encumbrances ("Liens") with such Liens, if any, to attach to the net proceeds of sale in the amount and priority as they presently exist, such proposed sale being subject to such higher and better offers that may

be tendered at a public auction sale, and subject to the terms and conditions of sale as set forth in this Motion; (ii) scheduling a hearing to approve of the sale of the Real Property to the successful bidder; (iii) approving terms and conditions for submitting offers; and (iv) approving the form and manner of notice with respect to the hearing on this Motion (“Sale Hearing”); as well as granting such other and further relief as this Court deems just and proper under the circumstances, on **SEPTEMBER 25, 2017 at 10:00 a.m.** or as soon thereafter as counsel may be heard, at the United States Bankruptcy Court, 290 Federal Plaza, Central Islip, New York 11722 in Courtroom 760.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief sought in the Application must conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, as modified by any administrative orders entered in this case, and be filed with the Bankruptcy Court electronically in accordance with any Administrative Order of the court, by registered users of the Bankruptcy Court’s case filing system and, by all other parties in interest, on a 3.5 inch disk, preferably in Portable Document Format (PDF), WordPerfect, Microsoft Word, DOS text (ASCII) or a scanned image of the filing, with a hard copy delivered directly to Chambers, and be served in accordance with any Administrative Order of the Court, and upon: (i) Rosen, Kantrow & Dillon, PLLC, counsel for Trustee, 38 New Street, Huntington, New York 11743, attention: Fred S. Kantrow, Esq.; and (ii) the Office of the United States Trustee, Long Island Federal Courthouse, 560 Federal Plaza, Central Islip, New York 11722, so as to be received by no later than 4:00 p.m. on September 18, 2017.

Please be advised that if an objection is timely filed to the relief requested, or if the Court determines that a hearing is appropriate, the Court will schedule a hearing. Notice of such a hearing will be provided by the applicant.

Dated: Huntington, New York
August 23, 2017

Rosen, Kantrow & Dillon, PLLC
Attorneys for Trustee

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